

### **REMARKS/ARGUMENTS**

Reconsideration of this application is requested. Claims 1-8 remain active in the application subsequent to entry of this Amendment.

#### **Information Disclosure Statements**

Attention is directed to the Information Disclosure Statements filed August 10 and 16, 2006. Both of these IDSs were submitted subsequent to the mailing date of the current Official Action (which is a Final Rejection) and both contain a certification that the item of information was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months from the filing date of the IDS of concern. With this response the necessary fees under 37 CFR §1.14(p) [\$360] has been paid, thus these submissions following the provisions of 37 CFR §1.97(d)(1)(2) and thus should be considered.

#### **Discussion of Claim Amendments**

Claims 1 and 4 have been amended consistent with the description of the invention for instance as depicted in Figure 1 of the drawings as well as in the description at paragraphs [0122]-[0125] of published application U.S. 2004/0151872, the published version of the subject application. In particular, in the mixing step a binder is mixed with a virgin ceramic starting material and reclaimed powder which is produced during the reclaiming step. These amendments to claims 1 and 4 provide ample antecedent basis for claims 2 and 7 and thus resolves the rejection of claims 2 and 7 under 35 USC §112, second paragraph, as being indefinite. Consequential changes have been made in terms of antecedent basis in claims 2 and 7 having regard to the amendments made to claims 1 and 4, respectively. Reconsideration is requested.

#### **Response to Rejection of Claims 1-8**

Claims 1-8 stand rejected as being unpatentable over the disclosures of U.S. 4,851,376 to Asami et al. Applicants disagree with this rejection as the claims now under review are clearly distinguishable and patentable over the disclosures of this citation.

Comparing the present invention as recited in claim 1 of this application with the disclosure of Asami et al, particles having a particle size less than 1 mm are removed in the reclaiming step of the present invention. The removal of these finer particles is intended to improve the quality of the cordierite ceramic body.

Contrary to this, as we mentioned on page 7, third paragraph of the Amendment of May 3, 2006, Asami is silent concerning this feature. This is because Asami intends to remove particles having sizes exceeding 150 microns from the paste by using a 150-micron slit screen (*see*, Example 2 of US 376). The screened paste is then extruded and fired. That is, Asami also teaches use of the particles having a particle size less than 1 mm which is removed in the present invention.

In addition, the reclaiming step of the present invention is carried out in the powdery basis using powders, whereas Asami's process is carried out in the paste basis. It will be immediately apparent that these two inventions are different taking into account the physical state of the starting materials.

Reconsideration and withdrawal of this rejection is requested.

Response to Rejection of Claims 9-11

Claims 9-11 are rejected as being unpatentable over the same reference as discussed above in view of a secondary reference. To advance examination of this application, claims 9-11 have been canceled, this action being taken without disclaimer or prejudice to a continuing application directed to the subject matter of these claims.

For the above reasons it is respectfully submitted that the claims of this application define inventive subject matter, are definite and compliant with 35 USC §112, second paragraph and are patentable. Reconsideration, entry of this Amendment and allowance are solicited. Should the examiner require further information, please contact the undersigned by telephone.

Respectfully submitted,

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